

Read 8 March 1745
Enacted 18 Geo II. Public Acts, c. 15.

777. L. 1.
43.



B I L L
INTITULED,
An ACT for making the Surgeons
of London and the Barbers of
London Two Separate and
Distinct Corporations.



Whereas in and by certain Letters Patents under the Great Seal of England, bearing Date the Twenty-fourth Day of February, in the First Year of the Reign of his then Majesty King Edward the Fourth, after reciting, that the Freemen of the Mystery of Barbers of the City of London, using the Mystery or Faculty of Surgery, had, for a long time, exercised and sustained, and still continued to exercise and sustain, great Application and Labour, as well about the Curing and Healing Wounds, Blows, and other Infirmities, as in the Letting of Blood, and Drawing of Teeth; and that by the Ignorance and Unskillfulness of some of the said Barbers, as well Freemen of the said City, as of others, being foreign Surgeons, many Misfortunes had happened to divers People, by the Unskillfulness of such Barbers and Surgeons, in healing and curing Wounds, Blows, Hurts, and other Infirmities; and that it was to be feared, that the like or worse Evils might there-

Great North
River
King



thereafter ensue, unless a suitable Remedy was speedily provided in the Premises; his said then Majesty did therefore, at the Supplication of the Freemen of the said Mystery of Barbers, in the said City of *London*, grant to them, amongst other Things, that the said Mystery, and all the Men of the same Mystery of the said City, should be One Body, and One perpetual Community; and that Two Principals of the said Commonalty, of the most expert Men in the Mystery of Surgery, might, with the Assent of Twelve, or Eight Persons at the least, of the same Community, every Year, elect and make out of the Community Two Masters or Governors, being the most expert in the Mystery of Surgery, to oversee, rule and govern the Mystery and Commonalty aforesaid, and all Men of the same Mystery, and the Affairs of the same; and that the aforesaid Masters or Governors, and Commonalty, and their Successors, might make Statutes and Ordinances for the Government of the said Mysteries; and that the Masters or Governors for the Time being, and their Successors, should have the Survey, Search, Correction and Government of all the Freemen of the said City, being Surgeons, using the Mystery of Barbers in the same City, and of other Surgeons whatsoever, being Foreigners, practising and using the Mystery of Surgery, within the same City, and Suburbs of the same, and the Punishment of them, as well Freemen as Foreigners, for their Offences, in not perfectly executing, performing and using that Mystery; and should also have the Survey and Search of all manner of Instruments, Plaisters and other Medicines, and the Receipts to be given, applied and used by the said Barbers and Surgeons, for the Curing and Healing of Sores, Wounds, Hurts, and such-like Infirmities; and that no Barber, using the said Mystery of Surgery, within the said City, or Suburbs thereof, or other foreign Surgeon whatsoever, should be in any manner thereafter admitted to execute, perform and exercise the same Mystery of Surgery, unless he had first been approved of as well instructed in that Mystery, by the said Masters or Governors, or their Successors, sufficiently qualified in that Behalf: And his said Majesty did further grant, that the said Masters or Governors, and Commonalty of the said Mystery of Barbers, and their Successors, nor any of them, should in any manner thereafter be summoned or put upon any Affizes, Juries, Inquests, Inquisitions, Attaints, or other Recognizances, to be taken within the said City and Suburbs thereof, before the Mayor, or Sheriffs, or Coroners of the same City, for the Time being, or summoned by any of his Officer or Officers, Minister or Ministers, although such Juries, Inquisitions



tions or Recognizances should be summoned upon a Writ or Writs of Right; but that the said Masters or Governors, and Commonalty of the aforesaid Mystery, and their Successors, and every of them, should be thereof acquitted, and wholly discharged, for ever: And his said then Majesty thereby further granted unto the aforesaid Masters or Governors, and Commonalty of the said Mystery of Barbers, and to their Successors, the following Liberty, to wit, That they, at all times thereafter, should and might admit Persons able, and sufficiently learned and instructed in the said Mystery of Surgery, and by them approved of in Form, and presented to the Mayor of the said City, for the Time being, and no other Person, or in any other Manner, into the said Mystery of Barber-Surgeons, and Liberty of the said City:

And whereas, by an Act of Parliament made and passed in the Thirty-second Year of the Reign of the late King Henry the Eighth, intituled, *For Barbers and Surgeons*, after taking Notice, That it was very expedient and needful to provide for Men expert in the Science of Physick and Surgery for the Health of Man's Body when Infirmities and Sicknes should happen; for the due Exercise and Maintenance whereof, good and necessary Acts had theretofore been made and provided, and that within the City of *London* Men of great Experience, as well in Speculation as in Practice of the Science and Faculty of Surgery, were abiding and inhabiting, and had more commonly the daily Exercise and Experience of the same Science of Surgery than was had and used within any Parts of the Realm; and by Occasion thereof, many expert Persons were brought up under them as their Servants, Apprentices, and others, who, by the Exercise and diligent Information of their Masters, might exercise the said Science within divers other Parts of the Realm, to the great Relief, Comfort and Succour of much People, and to the Safeguard of their bodily Health, Limbs and Lives; and reciting, that within the said City of *London* there were then Two several and distinct Companies of Surgeons occupying and exercising the Science and Faculty of Surgery, the one Company being commonly called *The Barbers of London* and the other Company called *The Surgeons of London*; and that the said Company of Barbers were incorporated to sue and be sued by the Name of Masters or Governors of the Mystery or Commonalty of the Barbers of *London*, by Letters Patents under the Great Seal of King *Edward* the Fourth, dated the Twenty-fourth Day of February in the First Year

Year of his Reign, and which were confirmed by several subsequent Letters-Patents in the said Act mentioned and referred to; and that the other Company, called *The Surgeons*, had not any manner of Corporation; and that the said Two several and distinct Companies of Surgeons were necessary to be united and made one Body Corporate, to the Intent that, by their Union and often Assembly together, the good and due Order, Exercise, and Knowledge, in the said Science or Faculty of Surgery, should be, as well in Speculation as in Practice, both to themselves and their Servants and Apprentices, and by their Learning, and diligent and ripe Informations, more perfect, speedy, and effectual; it was therefore Enacted, That the said Two several and distinct Companies of Surgeons, that is to say, both the Barbers and the Surgeons, and every Person of them, being a Freeman of either of the said Companies, after the Custom of the said City of *London*, and their Successors, should from thenceforth be immediately united and made one entire and whole Body Corporate, and one Commonalty Perpetual, which at all times thereafter should be called by the Name of Masters or Governors of the Mystery and Commonalty of Barbers and Surgeons of *London*, and by the same Name to implead and be impleaded before all manner of Justices in all Courts, in all manner of Actions and Suits; and also to purchase, enjoy, and take to them, and their Successors, Lands, Tenements, Rents, and other Possessions whatsoever: And it was also thereby Enacted, That they should have a Common Seal to serve for the Business of the said Company and Corporation; and that they should, by the same Name, peaceably, quietly, and indefeasibly, have, possess, and enjoy, to them and their Successors for ever, all such Lands and Tenements, and other Hereditaments whatsoever, which the said Company or Commonalty of Barbers then had and enjoyed, to the Use of the said Mystery and Commonalty of Barbers of *London*; and should also peaceably and quietly have and enjoy all and singular Benefits, Grants, Liberties, Privileges, Franchises, and free Customs, and also all manner of other Things at any time given or granted unto the said Companies of Barbers or Surgeons, by whatsoever Name or Names they, or any of them, were called, or which they, or any of them, or any of their Predecessors, then or theretofore had, by Acts of Parliament, Letters-Patents, or otherwise, by any lawful Means at any time before the said Act, in as large and ample Manner and Form, as they, or any of them, had, might, or should enjoy the same, notwithstanding the said Union

Union or Conjunction of the said Companies, and as if the same were and had been specially and particularly expressed and declared, with the best and most clearest Words and Terms of Law, to all Intents and Purposes: And it was thereby also Enacted, That all Persons of the said Company incorporated by the said Act, and their Successors, that should be lawfully admitted and approved to occupy Surgery after the Form of the Statute in that Case made and provided, should be exempt from bearing of Armour, or to be put in any Watches or Inqueits; and that they, and their Successors, should have the Search, Oversight, Punishment, and Correction, as well of Freemen as of Foreign, for such Offences as they, or any of them should commit against the good Order of Barbery or Surgery, as theretofore among the said Company of Barbers of *London* had been used and accustomed, according to the Rules and Ordinances by them made and approved of, pursuant to the Statute in that Behalf ordained and provided: And it was thereby further Enacted, That no Person within the City of *London*, Suburbs of the same, and one Mile Compass of the said City, using any Barbery or Shaving, should occupy any Surgery, Letting of Blood, or any other Thing belonging to Surgery, except Drawing of Teeth only; and that whosoever should use the Mystery or Craft of Surgery within the Circuit aforesaid, should, as long as he should use the said Mystery or Craft, in no wise occupy or exercise the Feat or Craft of Barbery or Shaving:

And whereas in and by certain Letters Patents under the Great Seal of *England*, bearing Date the Fifteenth Day of *August* in the Fifth Year of the Reign of his late Majesty King *Charles* the First, reciting the said Act of Parliament of the Thirty-second Year of the Reign of King *Henry* the Eighth; and that the Men of the same Societies, as well from the Time of their said Union and Incorporation as before, respectively had held, used and enjoyed divers Liberties, Franchises, Immunities, Customs, and Pre-eminences within the City of *London*, the Suburbs and Liberties thereof, and certain Villages and Places thereto adjacent, as well on account of the said Act of Parliament, and other Acts of Parliament, as by virtue and on account of divers Charters and Letters Patents made and granted by the late King *James* the First, and other Kings and Queens of *England*, his said Majesty King *Charles* the First did thereby grant, ratify and confirm unto the said Masters and Governors of the Mystery and Commonalty aforesaid, and their Successors, all and singular the Manors, Messuages, Lands, Tene-

ments, Customs, Liberties, Franchises, Immunities, Jurisdictions, and Hereditaments whatsoever, as well within the City of *London*, the Liberties and Suburbs thereof, as within the Liberties and Precincts therein after-mentioned, which the Men of the aforesaid Societies of Barbers and Surgeons, or either of them, then lawfully had, held, used and enjoyed, by reason of any Letters Patents of any of the former Kings or Queens of *England*, or by colour of any lawful Prescription, Use or Custom, or by any other lawful Means, Right or Title theretofore had, used or accustomed: And his said late Majesty King *Charles* the First did thereby give Power to the said Company and Corporation to make By-Laws for the good Order and Government of the said Society, in such Manner, and under such Restrictions, as is therein mentioned; and to make annual Elections of Masters or Governors of the said Commonalty, whereof Two to be Professors in the Art and Science of Surgery; and also to elect and constitute Ten of the Freemen of that Society to be Examiners of the Surgeons of *London*, during their Lives: And it was thereby further granted, that no Person or Persons whatsoever, whether a Freeman of the said Society, or a Foreigner, or a Native of *England*, or an Alien, should use or exercise the said Art or Science of Surgery within the said Cities of *London* and *Westminster*, or either of them, or within the Distance of Seven Miles of the said City of *London*, for his or their private Lucre or Profit (except such Physicians as are therein mentioned), unless the said Person or Persons were first tried and examined in the Presence of Two or more of the Masters or Governors of the Mystery and Commonalty aforesaid for the Time being, by Four or more of the said Examiners so to be elected and constituted as aforesaid, and by the publick Letters Testimonial of the same Masters or Governors under their Common Seal approved of, and admitted to exercise the said Art or Science of Surgery, according to the Laws and Statutes of the Kingdom of *England*, under the Penalty in the said Letters Patents mentioned; and that all and every of the said Freemen and Surgeons, so examined, approved of, and admitted, as aforesaid, might lawfully use and exercise the same Art and Science of Surgery, as well within the Cities of *London* and *Westminster*, the Liberties and Suburbs thereof, as in any other Cities, Towns, Boroughs, and Places whatsoever of the Kingdom of *England*: And it was thereby further granted and provided, That the said Masters and Governors of the Mystery and Commonalty aforesaid, and their Successors, might appoint and have a publick Lecture for the Art and Science of Surgery in their

their Common Hall, or other convenient Place, every Week, or otherwise, at the Discretion of the said Masters or Governors, and their Assistants, or the major Part of them, for the Time being, to be held for the better Instruction and Information in the Principles and Rudiments of the Art and Science of Chirurgery of all and singular as well Freemen as Foreigners, whether native Subjects of *England* or Aliens, to be entered and admitted as is therein mentioned: And it was thereby also constituted and ordained, That no one, whether a Freeman of the Mystery or Commonalty aforesaid, or a Foreigner, whether a Native of *England*, or an Alien, exercising the Art of Surgery within the Cities of *London* and *Westminster*, or the Suburbs or Liberties thereof, or within Seven Miles of the said City of *London*, should go out from the Port of *London*, or send out any Apprentice, Servant, or other Person whomsoever, from the same Port, to execute or undertake the Place or Office of a Surgeon for any Ship, whether in the Service of the Crown, or of any Merchant or others, unless they, and their Medicines, Instruments and Chests respectively, were first examined, inspected and allowed by Two such Masters or Governors of the Mystery and Commonalty aforesaid for the Time being, as were skilled, knowing, and Professors in the same Art of Surgery, under the Penalty therein mentioned:

And whereas, since the said Act for Incorporation of the said Two Companies, those of the said Company, practising Surgery, have, from their sole and constant Study of, and Application to, the said Science, rendered the Profession and Practice thereof of great Benefit to this Kingdom:

And whereas the Barbers belonging to the said Corporation are now, and for many Years have been, engaged and employed in a Business foreign to, and independent of, the Practice of Surgery; and the Surgeons belonging to the same Corporation being now become a numerous and considerable Body, and finding their Union with the Barbers inconvenient in many respects, and in no degree conducive to the Progress or Improvement of the Art of Surgery; and that a Separation of the Corporation of Barbers and Surgeons, and making Two Corporations of the present United Company of Barbers and Surgeons, will contribute much to the Improvement of Surgery, and thereby become a Matter of publick Utility; are therefore desirous, that the Surgeons, being Freemen of the said Company, may be made a Corporation Separate and Distinct from,

and independent of, the Barbers of and belonging to the said Company;

May it therefore please Your most Excellent MAJESTY,

That it may be **Enacted**; And be it **Enacted**, by the KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Union and Incorporation of the Barbers and Surgeons of *London*, made and effected by the said recited Act of the Thirty-second Year of King *Henry* the Eighth, shall, from and after the Twenty-fourth Day of *June* One thousand Seven hundred and Forty-five, be and the same is hereby dissolved, vacated, and declared to be void and of no Effect; and that such of the Members of the said United Company or Corporation, who are Freemen of the said Company, and admitted and approved Surgeons within the Rules of the said Company and Corporation, and their Successors, shall from thenceforth be made, and they are hereby made and constituted, a Separate and Distinct Body Corporate, and Commonalty Perpetual, which, at all times thereafter, shall be called by the Name of *Master, Governors and Commonalty of the Art and Science of Surgeons of London*; and, by the same Name, shall and may implead and be impleaded before all manner of Justices, in all Courts, and in all manner of Actions and Suits, and purchase, enjoy and take to them, and their Successors, any Lands, Tenements, Rents or Hereditaments, not exceeding the yearly Rent or Value of Two hundred Pounds in the Whole, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

And it is hereby further **Enacted**, by the Authority aforesaid, That it shall and may be lawful to and for the said Company or Corporation herein before established and incorporated, from time to time, in the Manner herein after-mentioned, to elect, chuse and appoint One principal Master or Governor, Two other Governors or Wardens, Ten Examiners of Surgeons, and Twenty-one Persons to be the Court of Assistants of the said Company or Corporation, to be respectively qualified and admitted in such manner, and to continue in the said Offices respectively, for such Time and Times respectively, as by the By-Laws, Rules, Ordinances and Constitutions of the said Company or Corporation, shall be, from time to time, ordered, directed, provided and appointed.

And

And it is hereby further Enacted, That it shall and may be lawful to and for the Master and Governors of the said Company or Corporation for the Time being, or any Two of them, with Nine or more of the Members of the said Court of Assistants of the same Company for the Time being, when and as often as two or more of the said Master and Governors shall seem meet, to hold Courts and Assemblies, in order to treat and consult about and concerning the Rule, Order, State and Government of the said Company or Corporation herein before established and incorporated, as aforesaid; and also that it shall and may be lawful to and for the said Master and Governors and Court of Assistants so assembled, or the major Part of them, to make, ordain, constitute, establish, ratify, confirm, annul, revoke or abrogate, from time to time, such By-Laws, Ordinances, Rules and Constitutions, as to them shall seem requisite, profitable and convenient for the Regulation, Government and Advantage of the said Company or Corporation; so as such By-Laws, Ordinances, Rules and Constitutions be examined, approved of, and allowed, as by the Laws and Statutes of this Realm is provided and required.

Provided always, and it is hereby Enacted and Declared, That the several By-Laws, Ordinances, Rules and Constitutions, made and established for the Regulation and Government of the said United Company or Corporation, so far as the same relate to, or concern the Art and Science of Surgery only, and which, on the Twenty-third Day of *June* One thousand Seven hundred and Forty-five, shall be subsisting, and in Force, and shall not be repealed, annulled or abrogated by virtue of this present Act, shall continue and be in Force; and shall be exercised, observed and executed by the said Company of Surgeons established and incorporated by this Act, until such time and times respectively as the same By-Laws, Ordinances, Rules and Constitutions shall respectively be repealed, annulled, and made void, by Virtue and under the Authority of this present Act.

Provided also, and it is hereby further Enacted and Declared, That *John Ranby*, Esquire, principal Serjeant-Surgeon to his Majesty, shall be, and he is hereby constituted and appointed, Principal Master or Governor; and that Mr. *Joseph Sandford* and *William Cheselden*, Esquire, Two of the present Wardens of the said United Company, shall be, and they are hereby constituted and appointed, the Two other Governors or Wardens of the

Company of Surgeons made, established and incorporated by this Act; and that they shall continue in, and hold, enjoy and exercise the said Offices respectively from the said Twenty-fourth Day of June, until others shall be elected and appointed to the said Offices respectively, as herein after is mentioned: And also that *Ambrose Dickins*, Esquire, Principal Serjeant-Surgeon to his Majesty, *William Petty*, Esquire, *John Shipton*, Esquire, the said *William Cheselden*, *John Freke*, *William Pyle*, *Legard Sparham*, *James Hickes*, and *Peter Saintbill*, who are the present Examiners of Surgeons, together with the said *John Ranby*, shall be, and they are hereby constituted and appointed, Examiners of Surgeons for the said Company of Surgeons made, established and incorporated by this Act; and that they shall respectively continue in, and hold, enjoy and exercise the said Office of Examiners for and during their natural Lives respectively, or until they shall be respectively removed out of the said Office, pursuant and according to the By-Laws, Rules and Constitutions of the said Company or Corporation of Surgeons established and incorporated by this Act: And also that the said *John Ranby*, *Joseph Sandford*, *William Cheselden*, *Ambrose Dickins*, *William Petty*, and *John Shipton*, *John Hayward*, the said *John Freke*, *William Pyle*, *Legard Sparham*, *James Hickes*, and *Peter Saintbill*, *Noah Roul*, *John Westbrook*, *William Singleton*, and *James Phillips*, and such Five other Persons as shall hereafter be elected and appointed for that Purpose, in pursuance of this Act, and as is herein after-mentioned, shall be, and they are hereby constituted and appointed, the Court of Assistants of the Company of Surgeons made, established and incorporated by this Act; and that they shall continue in, and hold, enjoy and exercise the said Office during their natural Lives respectively, or until they shall respectively be removed out of the said Office, pursuant and according to the By-Laws, Rules and Constitutions of the same Company.

And it is hereby further Enacted, That it shall and may be lawful to and for the said *John Ranby*, *Joseph Sandford*, *William Cheselden*, *Ambrose Dickins*, *William Petty*, *John Shipton*, *John Hayward*, *John Freke*, *William Pyle*, *Legard Sparham*, *James Hickes*, *Peter Saintbill*, *Noah Roul*, *John Westbrook*, *William Singleton*, and *James Phillips*, to meet at or in such Place as the said *John Ranby*, *Joseph Sandford*, and *William Cheselden*, or any Two of them, shall appoint, on the First Day of July One thousand Seven hundred and Forty-five, between the Hours of Ten and Two of the Clock of the same Day; and then and there

there to elect, chuse and appoint, out of the Freemen of the said Company or Corporation of Surgeons established and incorporated by this Act, by the Majority of Votes of such of the said Sixteen Persons herein before appointed to be of the Court of Assistants, who shall be present at such Meeting, so many other Persons to be of the Court of Assistants of the same Company or Corporation, as will make the Number Twenty-one, to continue in the said Office for and during their natural Lives respectively, or until they shall be respectively removed out of the said Office.

And it is further Enacted, That the Master, Governors, and Court of Assistants for the Time being, of the said Company of Surgeons, made, established and incorporated by this Act, shall, upon the First *Thursday* in the Month of *July* in the Year One thousand Seven hundred and Forty-six; and on the First *Thursday* in the Month of *July* in every succeeding Year, meet at such Place as the Master and Governors of the same Company for the Time being, or any Two of them, shall appoint, and then and there elect, chuse and appoint out of their Body, by the Majority of Votes of such of the said Master, Governors, and Court of Assistants, who shall be then present, One Person to be Principal Master or Governor, and Two other Persons to be Governors or Wardens, of the said Company or Corporation of Surgeons, established and incorporated by this Act, for the then succeeding Year; and then and there also, in like manner, elect, chuse and appoint, out of their own Body, such other Person or Persons, to be Examiner or Examiners of Surgeons, for the same Company, in the Place or Stead of such Examiner or Examiners, as shall have happened to die, or have been removed from the said Office of Examiner, in the then next preceding Year; and also in like manner elect, chuse and appoint, out of the Freemen of the said Company or Corporation of Surgeons established and incorporated by this Act, such Person or Persons to be of the Court of Assistants of the same Company or Corporation, in the Place and Stead of such Person or Persons who shall have happened to die in, or have been removed from, the said Office of Court of Assistants, in the then next preceding Year.

And it is hereby further Enacted, That the said Company of Surgeons made, established and incorporated by this Act, and their Successors, and all Persons who shall be Freemen of the same Company or Corporation, shall and may, from time to time, and
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at all times for ever hereafter, have, hold, and enjoy all and every such and the same Liberties, Privileges, Franchises, Powers and Authorities, as the Members of the said United Company or Corporation, being Freemen of the said Company, and admitted and approved Surgeons, within the Rules of the said Company and Corporation, could or might respectively have had, held and enjoyed, by virtue of the said recited Act of Union or Incorporation, and the said Letters Patent of his said late Majesty King *Charles* the First respectively, and other the Royal Grants, Charters and Patents, therein mentioned and referred to, so far as the same relate to the Art or Science of Surgery only, and not otherwise; and that in as full, ample and beneficial Manner, to all Intents and Purposes, as if the same had, in and by this present Act, been expressly repeated and re-enacted; and that they, and all such who already have been, or hereafter shall be, examined and approved, pursuant to the Rules of the said Company, shall be intitled to practise freely, and without Restraint, the Art and Science of Surgery, throughout all and every his Majesty's Dominions; any Law or Custom to the contrary notwithstanding.

And it is hereby further Enacted, That from and after the said First Day of *July* One thousand Seven hundred and Forty-five, the Examiners of the Company of Surgeons established by this Act, shall and they are hereby required, from time to time, upon Request to them made, to examine every Person who shall be a Candidate to be appointed to serve as a Surgeon, or Surgeon's Mate, of any Regiment, Troop, Company, Hospital, or Garison of Soldiers in the Service of his Majesty, his Heirs or Successors, in like manner as they do or shall examine any Surgeon or Surgeons to be appointed to serve on board any Ship or Vessel in the Service of his Majesty, his Heirs or Successors.

And it is hereby further Enacted, by the Authority aforesaid, That all and every Person and Persons, being Freemen of the said Company or Corporation of Surgeons established and incorporated by this Act, and who already have been, or hereafter shall be, examined and approved pursuant to the Rules and Orders of the said Company, and every of them, for so long time as he and they shall use and exercise the said Art or Science of Surgery, and no longer, shall and may, at all times hereafter, be freed and exempted from the several Offices of Constable, Scavenger, Overseer

Overseer of the Poor, and all other Parish, Ward, and Leet Offices, and of and from the being put into or serving upon any Jury or Inquest: And if at any time hereafter, any such Person or Persons, using and practising the said Art or Science of Surgery, and being qualified as aforesaid, shall be chosen and elected into any of the said Offices, or returned, required or appointed to serve on any Jury, Leet or Inquest, or be disquieted or disturbed by reason thereof, that then such Person or Persons, producing a Testimonial, under the Common Seal of the said Corporation, of such his Examination, Approbation and Freedom, to the Person or Persons by whom he shall be so elected or appointed, or by or before whom he shall be summoned, returned or required to serve or hold any of the said Offices or Duties, shall be absolutely discharged from the same; and such Nomination, Election, Return and Appointment, shall be utterly void, and of no Effect; any Order, Custom, Law or Statute to the contrary in anywise notwithstanding.

Provided always, and be it hereby Enacted, by the Authority aforesaid, That this Act, or any thing therein contained, shall not extend, or be construed or taken, to prejudice, abridge or infringe any of the Privileges, Authorities, Powers, Rights, Liberties or Franchises heretofore granted by any Act or Acts of Parliament, or by any Letters Patents, Charters or Charter of any of his Majesty's Royal Predecessors, Kings or Queens of *England*, to the President and College, or Commonalty, of the Faculty of Physick in *London*.

And it is hereby further Enacted, by the Authority aforesaid, That such of the Members of the said United Company or Corporation, who are Freemen of the said Company, and are not admitted or approved Surgeons, and their Successors, shall, from and after the said Twenty-fourth Day of *June* One thousand Seven hundred and Forty-five, be, and they are hereby made and constituted, a Body Corporate, and Commonalty Perpetual, which, at all times hereafter, shall be called by the Name of *The Master, Governors, and Commonalty of the Mystery of Barbers of London*; and, by the same Name, to plead and be impleaded before all manner of Justices, in all Courts, and in all manner of Actions and Suits; and also to purchase, enjoy and take to them, and their Successors, any Lands, Tenements, Rents, or Hereditaments, not exceeding the yearly Rent or Value of **Two**

Two hundred Pounds in the Whole, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

And it is hereby further Enacted, by the Authority aforesaid, That Mr. *Jonathan Medley*, the present First Master or Governor of the said united Company or Corporation, and Mr. *Humphrey Negus*, the present Third Master or Governor of the said united Company, and such Two other Persons as shall hereafter be elected and appointed for that Purpose, in pursuance of this Act, and as is herein after-mentioned, shall be, and they are hereby respectively established and confirmed, the Master and Governors of the Company or Corporation of Barbers of *London* established and incorporated by this Act; and shall continue in, and hold, exercise and enjoy the said Offices respectively, until others shall be chosen, elected and appointed in and to the same Office respectively, pursuant and according to the By-Laws, Rules, Orders and Constitutions of the same Company: And also, that the said *Jonathan Medley*, *Humphrey Negus*, and *William Parker*, *Luke Morris*, *John Barnwell*, *John Truelove*, *William Haddon*, *John Negus*, *Edward Boxley*, *Samuel Rutter*, *Robert Scrooby*, *Richard Swithin*, *Edward Colebeck*, *Togermab Jones*, and *John Gurney*, being Fifteen of the present Court of Assistants of the said United Company, and such Nine other Persons as shall hereafter be elected and appointed for that Purpose in pursuance of this Act, and as is herein after-mentioned, shall be, and they are hereby constituted and appointed, the Court of Assistants of the Company of Barbers made, established and incorporated by this Act, and shall continue in, and hold, enjoy and exercise the said Office during their natural Lives respectively, or until they shall be respectively removed out of the said Office, pursuant and according to the said By-Laws, Rules, Ordinances and Constitutions of the said Company of the Barbers of *London*.

And it is hereby further Enacted, That it shall and may be lawful to and for the said *Jonathan Medley*, *Humphrey Negus*, *William Parker*, *Luke Morris*, *John Barnwell*, *John Truelove*, *William Haddon*, *John Negus*, *Edward Boxley*, *Samuel Rutter*, *Robert Scrooby*, *Richard Swithin*, *Edward Colebeck*, *Togermab Jones*, and *John Gurney*, or the major Part of them, to meet at or in the Hall now belonging to the said United Company, situate in *Monkwell Street* in the City of *London*, on the Twenty-fifth Day of *June* One thousand Seven hundred and Forty-five, between the Hours of Nine in the Morning and One in the Afternoon

noon of the same Day, and then and there to elect, chuse and appoint out of the Freemen of the said Company or Corporation of the Barbers of *London*, established and incorporated by this Act, by the Majority of Votes of such of the said Fifteen Persons last-mentioned, who shall be present at such Meeting, so many other Persons to be of the said Court of Assistants of the said Company or Corporation of Barbers of *London*, as will make the Number Twenty-four, to continue in the said Office respectively for and during their natural Lives, or until they shall be respectively removed out of the said Office; and also that immediately after such Court of Assistants shall be made up the said Number of Twenty-four Persons, the said Court of Assistants shall then and there, by the Majority of Votes of such of the said Court of Assistants, as shall be then present, elect, chuse and appoint, from among themselves, two Persons, to be the Third and Fourth Governors of the said Company or Corporation of the Barbers of *London*, to continue in, hold, exercise and enjoy, the said Offices respectively, as aforesaid.

And it is hereby further Enacted, That it shall and may be lawful for the Master and Governors for the Time being of the said Company or Corporation of Barbers, or any two or more of them, with Eleven or more of the Members of the said Court of Assistants for the Time being, when and as often as to Two or more of the said Masters and Governors shall seem meet, to hold Courts or Assemblies at or in the Hall of the said Company for the Time being, in order to treat and consult about the Rule, State, Order and Government of the said Company or Corporation of Barbers; and also that it shall and may be lawful to and for the said Master and Governors, and Court of Assistants, so assembled, or the major Part of them, to make, constitute, ordain, establish, ratify and confirm all or any such By-Laws, Ordinances, Rules and Constitutions, as to them shall seem requisite, proper or convenient for the Regulation, Government, Profit or Advantage of the said Company or Corporation of the Barbers of *London*, and the Members thereof, and the same from time to time to alter or repeal; so as the By-Laws, Ordinances, Rules and Constitutions so to be made and established, shall be examined, approved and allowed of, as by the Laws and Statutes of this Realm is provided and required.

Provided always, and it is hereby Enacted and Declared, That the several By-Laws, Ordinances, Rules and Constitutions,

stitutions, made and established for the Regulation and Government of the said United Company or Corporation, so far as the same do not relate to or concern the Art or Science of Surgery, and which, on the said Twenty-third Day of *June* One thousand Seven hundred and Forty-five, shall be subsisting and in Force, and shall not be repealed, annulled or abrogated, by virtue of this present Act, shall continue and be in Force, and shall be exercised, observed and executed, by the said Company of Barbers established and incorporated by this Act, until such Time and Times respectively as the same By-Laws, Ordinances, Rules and Constitutions, shall respectively be repealed, annulled and made void, by Virtue and under the Authority of this present Act.

And it is hereby further Enacted, by the Authority aforesaid, That the Master and Governors of the said Company or Corporation of Barbers of *London* shall be yearly elected and chosen on the Second *Thursday* in *August*, in such manner as by the By-Laws, Rules, Orders and Constitutions of the same Company or Corporation shall be ordained or provided; and that when and as often as any Member of the said Court of Assistants of the said Company of Barbers shall happen to die, or be removed, it shall and may be lawful to and for the surviving Members of the said Court of Assistants, or the major Part of them, to nominate and elect one other Person, being a Freeman of the same Company, to be a Member of the said Court of Assistants, in the room of the Person so deceased or removed; and the Person so nominated or elected shall continue in, hold and exercise the said Office for and during his natural Life, or until he shall be removed out of the same.

And it is hereby further Enacted, by the Authority aforesaid, That the Master, Governors, and Commonalty of the Mystery of Barbers of *London*, hereby made, established and incorporated, as aforesaid, and their Successors, and all Persons who shall be free of the same Company or Corporation, shall and may, from time to time, and at all times for ever hereafter, have, hold and enjoy all and every such and the same Liberties, Privileges, Franchises, Powers and Authorities, as the said United Company or Corporation, with respect to every thing but Surgery, and the Members of the said United Company or Corporation, occupying the Feat or Craft of Barbery or Shaving, could or might respectively have had, held and enjoyed by virtue of the said recited Act of Union or Incorporation and Letters Patents of his

his late Majesty King *Charles* the First, and other the Royal Grants, Charters and Patents therein respectively mentioned and referred to, so far as the same do not concern or relate to the Art and Science of Surgery; and that in as full, ample and beneficial Manner, to all Intents and Purposes, as if the same had been expressly repeated, set down and enacted in and by this present Act.

And it is hereby further Enacted, by the Authority aforesaid, That the Sum of Five hundred and Ten Pounds now vested in the said United Company, and which was given and paid to the said United Company by *Edward Arris*, for the Use of the publick Anatomy, Lectures on the Muscles, and also the Annuity or yearly Rent-charge of Sixteen Pounds given to the said United Company by the Will of *John Gale*, Gentleman, for One Anatomy Lecture, by the Name of *Gale's Anatomy*, and charged upon certain Messuages and Tenements at *Snow-Hill*, in the Parish of *Saint Sepulchre* without *Newgate*, *London*, shall, from and after the said Twenty-fourth Day of *June* One thousand Seven hundred and Forty-five, be vested in, and be deemed the sole Property, Estate and Effects of the said Company and Corporation of Surgeons established and incorporated by this Act; and that the said Sum of Five hundred and Ten Pounds be accordingly paid by the said Company or Corporation of Barbers of *London*, out of the Estate and Effects of and now belonging to the said United Company or Corporation, within Three Months next after the said Twenty-fourth Day of *June*; and that the said Sum of Five hundred and Ten Pounds, and the said Annuity or yearly Rent-charge of Sixteen Pounds *per Annum*, shall be held and enjoyed by the said Company of Surgeons established by this Act, upon Trust, to be applied and disposed of for the Purposes intended by the Donors thereof respectively; and that from and after Payment of the said Five hundred and Ten Pounds by the said Company of Barbers to the said Company of Surgeons, they the said Master, Governors, and Commonalty of the Mystery of Barbers of *London*, and their Successors, shall for ever be discharged of and from the said Sum or Gift of Five hundred and Ten Pounds, and every Part thereof, and of and from the said Annuity or Gift of Sixteen Pounds *per Annum*, and every Part thereof, and of and from all Duties and Trusts in respect of the said Gifts, or either of them; and shall from time to time be saved harmless, and kept indemnified, by the said Company of Surgeons, of, from and against the same, and all Actions, Suits, Costs, Charges and Expences which they the said Master and Governors of the said Mystery and Commonalty of Barbers of *London*, or their Successors, shall or may, from time

to time, be put unto or sustain on account thereof; and that all the Rest and Residue of the Real and Personal Estate and Effects of and belonging to the said United Company or Corporation, and the Arms or Ensigns Armorial of the same Company or Corporation, shall, from and after the said Twenty-fourth Day of *June* One thousand Seven hundred and Forty-five, be vested in, and the same are hereby from thenceforth vested in the said Company or Corporation of Barbers of *London*, and their Successors, to and for their own sole and separate Use and Benefit, for ever.

And it is hereby further Enacted, by the Authority aforesaid, That such of the Books, Papers and Writings which now belong to the said United Company of Barbers and Surgeons, and relate to, or concern the Surgeons, or Surgery only, shall, immediately after the said First Day of *July* One thousand Seven hundred and Forty-five, be delivered by the said Company of Barbers, established and incorporated by this Act, to the Master, and Governors, and Court of Assistants, of the said Company of Surgeons established and incorporated by this Act, or such other Person or Persons as they, or the major Part of them, shall, by Writing under their Hands, appoint to receive the same, for the Use and Benefit of the said Company of Surgeons: And that the Master, Governors, and Court of Assistants, of the same Company of Surgeons, or any of them, or such other Person or Persons as they, or the major Part of them, shall, by Writing under their Hands, appoint, shall and may, from time to time, and at all seasonable times, upon reasonable Notice, from and after the said First Day of *July* One thousand Seven hundred and Forty-five, have free Access to, and Liberty to inspect and peruse, in the Hands of such Person or Persons as the said Company of Barbers shall appoint to have the Care and Custody thereof, all the rest of the Books, Papers and Writings, and also all the Charters and Deeds which now belong to the said United Company of Barbers and Surgeons; and from time to time to take such Copies or Extracts of or from the same, or any of them, as the said Master, Governors, and Court of Assistants, of the said Company of Surgeons, or the major Part of them, or such other Person or Persons so to be appointed, as aforesaid, shall from time to time desire or require; and also that the said Company of Barbers shall from time to time and at all times, upon reasonable Notice, from and after the said First Day of *July*, produce the said last-mentioned Books, Papers, Writings, Charters and Deeds, or any of them, at the Ex-

pence

pence of the said Company of Surgeons, upon any Trial at Law, or Hearing in Equity, or Examination of Witnesses, or otherwise, where the said Company of Surgeons shall have Occasion to make use thereof, or of any of them, and permit the said Company of Surgeons to make use of the same accordingly.

Provided always, and it is hereby further Enacted, by the Authority aforesaid, That every Person, who hath been bound Apprentice to any Member of the said United Company, and, by the Laws or Custom of the City of *London*, or otherwise, is or would be intitled to his Freedom of the said United Company, and to the Freedom of the said City, in case this present Act had never been made, shall be intitled and admitted to his Freedom in the said Company or Corporation of Surgeons, if his Master is or was an examined Surgeon, or else to his Freedom in the said Company of Barbers; and in either Case shall be intitled and admitted to his Freedom of the the said City of *London*; any Law, Usage or Custom, to the contrary thereof in any wise notwithstanding.

And be it further Enacted, by the Authority aforesaid, That this Act shall be deemed, adjudged and taken, to be a Publick Act; and be judicially taken notice of as such by all Judges, Justices, and other Persons whatsoever, without specially Pleading the same.

power of the said Company of Surgeons upon any Trial or Law
in London, or elsewhere, or otherwise, or otherwise,
where the said Company of Surgeons shall have Occasion to make
the Statute, or of any of them, and permit the said Company of
Surgeons to make use of the same accordingly.

And be it further enacted, and it is hereby further enacted, by
the Authority aforesaid, That every Person, who shall be bound
Apprentice to any Master of the said United Company, and by
the Laws or Customs of the City of London, or otherwise, is or
shall be entitled to his Freedom of the said United Company,
and to the Freedom of the said City, in case this present Act had
never been made, shall be entitled and admitted to his Freedom in
the said Company or Corporation of Surgeons, if his Master is or
was an exempted Surgeon, or else to his Freedom in the said
Company of Barbers; and in either Case shall be entitled and ad-
mitted to his Freedom of the said City of London; any Law,
Usage or Custom, to the contrary thereof in any wise notwith-
standing.

And be it further enacted, by the Authority aforesaid, That
this Act shall be deemed, adjudged and taken, to be a Publick
Act; and be judicially taken notice of as such by all Judges,
Justices and other Persons who shall be lawfully sworn.

A
B I L L
intituled,
An ACT for making the Sur-
geons of London and the
Barbers of London Two
Separate and Distinct Cor-
porations.